
Introduced by Senator Stone

February 27, 2015

An act to amend Section 1269 of the Penal Code, relating to bail.

LEGISLATIVE COUNSEL'S DIGEST

SB 717, as introduced, Stone. Bail.

Existing law provides that the taking of bail consists of the acceptance, by a competent court or magistrate, of the undertaking of sufficient bail for the appearance of the defendant, according to the terms of the undertaking, or that the bail will pay to the people of this state a specified sum.

This bill would make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1269 of the Penal Code is amended to
2 read:
3 1269. (a) The taking of bail consists ~~in~~ of the acceptance, by
4 a competent court or magistrate, of the undertaking of sufficient
5 bail for the appearance of the defendant, according to the terms of
6 the undertaking, or that the bail will pay to the people of this state
7 a specified sum. Upon filing, the clerk shall enter in the register
8 of actions the date and amounts of ~~such~~ the bond and the name or
9 names of the surety or sureties ~~thereon~~ of the bond. In the event
10 of the loss or destruction of ~~such~~ the bond, ~~such~~ the entries ~~so~~ made

1 shall be prima facie evidence of the due execution of ~~such~~ *the* bond
2 as required by law.
3 ~~Whenever any~~
4 (b) *If* bail bond has been deposited in ~~any~~ *a* criminal action or
5 proceeding in a ~~municipal or~~ superior court or in ~~any~~ *a* proceeding
6 in habeas corpus in a superior court, and it ~~is made to appear~~
7 *appears* to the satisfaction of the court ~~by affidavit or by testimony~~
8 *from affidavits or testimony* in open court that more than three
9 years have elapsed since the exoneration or release of ~~said~~ bail,
10 the court ~~must~~ *shall* direct that ~~such~~ *the* bond be destroyed.